

Lexington Fayette Urban County Government
Administrative Hearing Board Finding of Fact Form and Final Order

Date of Hearing: 02/16/2017

Hearing Officer: MICHAEL HURTER

Case number: 09300304EXT

Address: 304 W HIGH ST

Owner: AWE REALTY LLC & 304 W HIGH LLC

Present /Not Present

Person Representing Property Owner:

AWE Realty LLC
304 W High LLC

Legal Standing: Ronald Tritschler

Issuance Date of Civil Penalty: 11/16/2016

Case Officer:

~~LFE STEELE~~ Rob Walter

Pre-January 2017 only, Notice of Violation: ☐ Nuisance ☐ Housing ☐ Sidewalk

☐ Housing with \$ _____ Civil Penalty Amount

☐ Nuisance with \$ _____ Civil Penalty Amount

☐ Sidewalk with \$ _____ Civil Penalty Amount

☐ Emergency Abatement \$ _____ ☐ Nuisance ☐ Housing

☐ Other: _____ \$ _____ Civil Penalty Amount

Findings of Fact:

☒ Appellant owns the subject property. Notice was properly served on Appellant and notice of appeal was timely filed.

_____ A violation(s) of the Ordinance was not committed. To Wit: _____

☒ A violation(s) of the Ordinance was committed. To Wit: _____

rebuild brick walls

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Conclusions of Law

The civil penalty is:

Upheld

Dismissed

Other

Notes: _____

Civil Penalty Assessed

1) Appellant is assessed a civil penalty of \$ _____. Failure to make payment on this civil penalty within 30 days of the issuance of this ruling may result in the placement of lien against the indicated property.

Civil Penalty held in abeyance

2) Appellant is granted _____ days from service of notice of this Order within which to remedy the violations to avoid the assessment of a civil penalty of \$ _____. The appellant shall contact the Case Officer and request a conformation inspection to ensure compliance has been gained on or before the above indicated date as well. Notes: _____

① Order Compliance Schedule with code enforcement
② Order a structural engineer to examine the property
③ order code enforcement to not attempt a hasty civil penalty
④ order that code work with historic require approval of
Civil Penalty assessed in part with remaining balance held in abeyance as work may
3) Appellant is assessed a civil penalty of \$ _____, and is ordered to remedy the violation historic
within _____ days from service of this Order, and in the event he/she fails to do so, and upon receipt of that
additional amount of \$ _____ will be assessed, and the Lexington-Fayette County of compliance
Government will abate (when applicable) the nuisance, at the expense of the Appellant. Schedule
of property
owner

Notes: _____

****Notice: Has indicated in Kentucky Revised Statute 65.8831, any appeal of this order must be made to the Fayette District Court within thirty (30) days from the date this order is issued.**

⑤ Allow for time in terms of hypothetical back addition to house
Michael R. Hurter 2/16/2017 _____
Hearing Officer's Signature Date Supplementary Page
Completed



Lexington-Fayette Urban County Government
DEPARTMENT OF PLANNING, PRESERVATION & DEVELOPMENT

Jim Gray
Mayor

Derek J. Paulsen, Ph.D
Commissioner

DIVISION OF CODE ENFORCEMENT

11/16/2016

REPAIR NOTICE

AWE REALTY LLC & 304 W HIGH LLC
250 W MAIN ST STE 3000
LEXINGTON, KY 40507

RE: INSPECTION OF 304 W HIGH ST ON 08/25/2016

CASE#: 09300304EXT

TAKE NOTICE THAT AN INSPECTION WAS MADE OF THE ABOVE-REFERENCED PROPERTY ON THE DATE SHOWN ABOVE PURSUANT TO CHAPTER 12 OF THE CODE OF ORDINANCES OF THE LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT, REFERRED TO AS THE INTERNATIONAL PROPERTY MAINTENANCE CODE OF LEXINGTON-FAYETTE URBAN COUNTY.

VIOLATIONS WERE FOUND WHICH NEED TO BE CORRECTED IN ORDER TO MAINTAIN ACCEPTED STANDARDS OF HEALTH AND SAFETY.

FINDINGS:

THE FINDINGS OF THE ABOVE STATED INSPECTION ARE LISTED ON THE ATTACHED INSPECTION REPORT.

You being the owner are hereby given notice to:

CORRECT CITED ROUTINE VIOLATIONS WITHIN THIRTY (30) DAYS.